

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

PAMELA STELLA, individually and
on behalf of all others similarly situated,

Plaintiff,

V.

LVMH PERFUMES AND COSMETICS
USA, INC., a New York Corporation,

Defendant.

No. 07-CV-6509

Hon. Elaine E. Bucklo

Magistrate Judge Arlander Keys

**DEFENDANT LVMH PERFUMES AND COSMETICS, INC.'S
UNOPPOSED MOTION TO EXTEND TIME TO ANSWER THE COMPLAINT**

Defendant LVMH Perfumes and Cosmetics, Inc. (“LVMH”) respectfully moves the Court for an order extending the time for LVMH to file its answer to the complaint in this action. In support of this motion, LVMH states:

1. The seven-count putative class complaint in this action was filed on November 16, 2007 and served on or about November 27, 2007.
2. On March 14, 2008, LVMH moved to dismiss the complaint on numerous grounds. The briefing on LVMH's motion to dismiss was completed on June 3, 2008.
3. On July 8, 2008, this Court entered a memorandum opinion and order dismissing plaintiff's injunctive relief count, but otherwise denying LVMH's motion to dismiss the complaint.
4. Pursuant to Fed. R. Civ. P. 12(a)(4) and Fed. R. Civ. P. 6(a)(2), the original due date for LVMH's answer to the remaining counts of the complaint was July 22, 2008.

5. On July 22, 2008, counsel for LVMH filed an unopposed motion for a one-week extension of time (or until July 29, 2008) to file LVMH's answer to the complaint. On July 25, 2008, this Court entered an order granting the requested extension.

6. Since then, both of LVMH's primary counsel have had significant family emergencies. LVMH's lead counsel (Mr. Shapiro) had a death in the family over the weekend and, as a result, is out of town and unavailable this week. LVMH's other primary counsel (Ms. Trummel) had a family emergency last week. Specifically, one of her brothers was seriously injured in a work-related accident (severe skull fracture) and hospitalized. Ms. Trummel has been occupied with family obligations and issues relating to his condition and care.

7. As a consequence of these circumstances, LVMH's counsel have had limited opportunity to complete LVMH's answer and coordinate with their out-of-town client. Accordingly, LVMH seeks an additional extension of time, until August 7, 2008, to file its answer to the complaint.

8. The requested extension is not sought for any improper purpose, and it will not unreasonably delay this action or prejudice any of the parties. In this respect, LVMH notes that it still has not been served with the complaint in the related case, *Quinn v. LVMH Perfumes and Cosmetics USA, Inc.*, No. 08-CV-138 (N.D. Ill.), which is now pending before this Court.

9. LVMH's counsel has conferred with plaintiff's counsel about the requested extension of time, and plaintiff's counsel does not object.

WHEREFORE, defendant LVMH Perfumes and Cosmetics, Inc. respectfully requests that the Court grant this unopposed motion and enter an order extending the time for LVMH to file its answer to the complaint through and including August 7, 2008.

Date: July 29, 2008

Respectfully submitted,

LVMH PERFUMES AND COSMETICS, INC.

By: s/ Rachael M. Trummel
One of Its Attorneys

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CERTIFICATE OF SERVICE

I, Rachael M. Trummel, an attorney, hereby certify that I caused a true and correct copy of the foregoing **DEFENDANT LVMH PERFUMES AND COSMETICS, INC.'S UNOPPOSED MOTION TO EXTEND TIME TO ANSWER THE COMPLAINT** to be served upon the following by ECF/PACER electronic notice and by U.S. Mail as indicated on this 29th of July 2008:

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